

BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

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APR - 3 1995

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of  
  
MFS Petition Regarding  
Unbundling of Local Exchange  
Carrier Common Line Facilities

RM - 8614

DOCKET FILE COPY ORIGINAL

REQUEST FOR AN EXTENSION OF TIME  
TO FILE COMMENTS BY THE  
NATIONAL ASSOCIATION OF  
REGULATORY UTILITY COMMISSIONERS

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National Association of  
Regulatory Utility Commissioners

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April 3, 1995

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Pursuant to Sections 1.46 and 1.44 of the Federal Communication Commission's ("FCC" or "Commission") General Rules of Practice and Procedure, 47 C.F.R. Sections 1.46 and 1.44 (1994), the National Association of Regulatory Utility Commissioners ("NARUC") respectfully requests that the Commission extend the time for filing comments in these proceedings an additional sixty (60) days or until June 10, 1995. In support of this request, NARUC states the following:

I.

NARUC is a quasi-governmental nonprofit organization founded in 1889. The NARUC includes within its membership those governmental bodies of the fifty States, the District of Columbia, Puerto Rico, and the Virgin Islands, which engage in the regulation of carriers and utilities.

NARUC's mission is to improve the quality and effectiveness of public utility regulation in America. More specifically, NARUC is composed of the State officials charged with the duty of regulating the telecommunications common carriers within their respective borders.

As such, they have the obligation to assure the establishment of such telecommunications services and facilities as may be required by the public convenience and necessity, and the furnishing of service at rates that are just and reasonable. As discussed below, MFS's petition, if granted, will clearly impact upon this obligation.

## II.

On March 10, 1995, MFS filed a petition asking the FCC to take major actions directly affecting States that have authorized local exchange competition. The petition generally asks the FCC to adopt rules promptly requiring the Tier 1 LECs to provide the common line element of interstate switched access service (the "local loop") on an unbundled basis, at cost-based rates, to state-certified competing providers of such service.

MFS also asked that each Tier 1 LEC be required (1) to make available unbundled loops in any study area in which the state has authorized local exchange competition, (2) to permit interconnection to such loops via tariffed expanded interconnection arrangements, (3) to comply with uniform minimum technical criteria, and (4) to prohibit LECs from charging more for the interstate component of unbundled loops than they charge end users.

Significantly, the petition asks the FCC to adopt non-binding guidelines for State commission approved pricing of unbundled loops in relation to the pricing of local exchange service, in order to discourage price squeezes and to promote effective competition.

### III.

The FCC March 10, 1995 notice sets April 10, 1995 as the date for interested persons to file initial comments on the MFS request.

### IV.

Clearly, this express attempt to require local unbundling and, in addition, set "nonbinding" guidelines for pricing of local services, has an important impact on the ability of NARUC's membership to fulfill their respective responsibilities to serve the public interest.

V.

It is also clear that this petition, raises complex public policy and legal considerations that require significant research and analysis. In addition to the required analysis, NARUC must coordinate its efforts among its membership to seek consensus upon an appropriate response. Because of the importance of the issues presented by the notice, NARUC posted the text of the petition to its BBS shortly after it was filed. NARUC has also mailed copies of the petition to its membership and is actively seeking input on proposed comments.

VI.

The MFS petition (i) clearly raises issues of concern to the NARUC's state commission membership and (ii) could impact upon these members' ability to adhere to their respective mandates to serve the public interest. No other participant can adequately represent the viewpoint of NARUC and its membership. This viewpoint is necessary to fully illuminate the issues raised by the FCC's proposal and assure a complete record upon which to base a decision. Hence, granting the requested extension will serve the public interest by ensuring NARUC and/or its member State's continued participation.

VI.

Moreover, no party can be significantly prejudiced by the limited delay requested. In addition, the issues the petition raises are already the subject of legislation, rulemakings, and other actions at the State level.

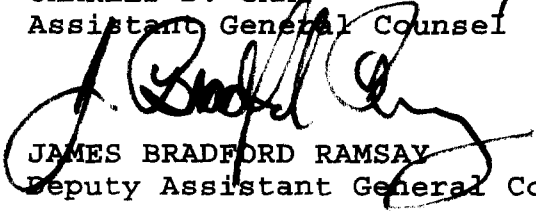
VII.

Accordingly, because of the critical importance of the issues raised by the FCC's NOTICE to NARUC's membership, the short extension requested, and NARUC's inability to formulate a consensus position on those critical issues without additional time, NARUC respectfully requests that the FCC grant a sixty (60) day extension of time or until June 10, 1995 to file comments in the above-captioned proceeding.

  
Respectfully submitted,

PAUL RODGERS  
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CHARLES D. GRAY  
Assistant General Counsel

  
JAMES BRADFORD RAMSAY  
Deputy Assistant General Counsel

National Association of  
Regulatory Utility Commissioners

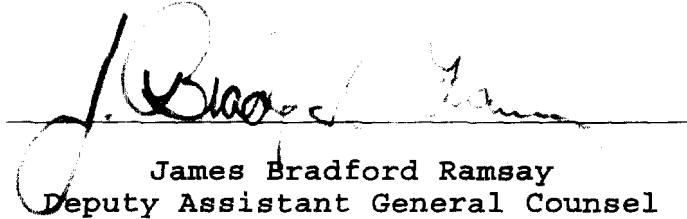
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April 3, 1995

CERTIFICATE OF SERVICE

I, JAMES BRADFORD RAMSAY, certify that a copy of the foregoing was served on all parties on the attached Service List.



James Bradford Ramsay  
Deputy Assistant General Counsel

National Association of  
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April 3, 1995

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